

Public Notice

Public Notice No.Open Date:Close Date:LRL-2007-754-A-jmb13 Dec 201313 Jan 2014

Phone: 812-842-0469

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Mr. Jarrod Bonnick, CELRL-OP-FW
P.O. Box 489

Newburgh, IN 47629-0489

Or email comments to:

Irl.regulatorypubliccomment@usace.army.mil

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 10 of the Rivers and Harbors Act of 1899:

APPLICANT: Mr. Robert Stone

Hunter Sand & Gravel, LLC

P.O. Box 3490

Paducah, Kentucky 42003

AGENT: Mr. Kenneth D. McDaniel, P.E.

Bacon Farmer Workman

Engineering & Testing, Inc.

500 South 17th Street Paducah, Kentucky 42002

LOCATION: Ohio River, mile 950.7 to 951.2 left descending

bank, McCracken County, Kentucky

Latitude: 37°11'22.56" N Longitude: 88°50'28.34" W

7.5 Minute Quad: Joppa (IL/KY)

PURPOSE: To construct and operate a forty barge fleeting

area along the left descending bank (LDB) of the

Ohio River, from mile 950.7 to 951.2.

DESCRIPTION OF WORK: The applicant is requesting authorization to construct and operate a barge fleeting area in the Ohio River, between miles 950.7 and 951.2 LDB. The fleet would be composed of 40 barges, which would be arranged in a 4 wide by 10 long configuration. The maximum riverward projection of the fleet at normal pool water level, 290.0' Ohio River Datum, would be 185'.

The fleet will accommodate any type of barge used on the inland waterway system. Commodities proposed to be handled within the fleeting area are primarily sand and gravel, but also include coal, grain, fertilizer and steel. No "red flag" vessels are proposed to be handled within this fleeting area.

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The fleet will be secured to shore via cables that are connected to 9 buried anchors (see attached drawings for details) located on the riverbank above the ordinary high water mark. The cable system will be composed of a $1^1/2$ " galvanized cable from the anchor, leading to a tire and buoy, which will then connect to $1^1/8$ " galvanized cable that will be tied off to the barges.

The applicant has indicated that no maintenance dredging would be required in order to maintain adequate water depths for ingress/egress. During periods of lower river levels, shallow areas would either be avoided or a series of dock-string barges, having lesser drafts, would be placed to facilitate fleeting further out.

The project is located on the Ohio River, from mile 950.7 to 951.2 LDB, in McCracken County, Kentucky.

REVIEW PROCEDURES: Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors

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which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at http://www.lrl.usace.army.mil/Missions/Regulatory.aspx. All comments regarding this proposal should be addressed to Mr. Jarrod Bonnick, CELRL-OP-FW at the address noted above and should refer to the Public Notice Number LRL-2007-754-A-jmb.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2007-754-A-jmb.

Example:

Subject: LRL-2007-754-A-jmb

b) Provide your physical mailing address and telephone number.

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- c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.
- d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.











